

Dear Representative:

They say the devil is in the details, and with HB 4143A, that is certainly the case. I have been through the process of having to evict a renter in Linn County. The increase to required notice for a no fault eviction to 90 days is unreasonable due to the very real possibility that the renters will stop paying rent as soon as they get their notice. I heard it said that if that happened, the landlord could just give them notice for cause as if that was a simple fix. Most landlords are making monthly payments on their rental properties which continue during an eviction process. The process is available at <http://courts.oregon.gov/Linn>

This is what I experienced:

1. I came to the home and found that the two pit bull dogs they had moved in had chewed molding, there was poop and pee all over the rugs and hardwood floors, the renters had cut off the side of the hickory cabinets I had paid several thousand dollars for, the yard was torn up, etc., etc.
2. I provided an eviction notice for cause, completed the court forms, paid to file the notice, got a court date, paid to have the Sheriff serve the people, and waited for my court date.
3. I appeared at the scheduled court date and had the judge throw the whole thing out as I had put information about back rent due on the form that should not have been listed (the potential for making an error on the forms is real). Adding insult to injury the judge made me pay for costs that the renters had responding to my eviction notice.
4. I hired an attorney (that ended up costing about \$2,000)
5. With his involvement, I started over with Steps 1 through 3.
6. When I appeared at the scheduled court date with my attorney, the renters were there and the judge scheduled a date for trial.
7. I appeared at trial with my attorney. The judge ruled in our favor, and allowed the renters a week to move out. They didn't.
8. I had to go back to court, pay another fee and ask for an order to have the sheriff remove the people.
9. The renters were given another 96 hrs. to get out.
10. When after 96 hrs they still had not moved (and they and the dogs were continuing to damage the house), I had to again contact the sheriff. He stood on the porch and waited while the renters left.
11. I was required to "protect" the renters possessions left in the house for 30 days and give them access so they could remove whatever they wanted.
12. It took 3 months to get the renters out following the "good cause" rules, and the house was vacant another month before the renters got what they wanted out of the house.

During the process, the renters sicked their two pit bulls on me. As they were dragging me to the ground, a passerby saw what was happening and tried to get the dogs off me. At that point, the owner who had been standing on the porch watching decided to call the dogs off.

I also had to file another civil claim as the damages far exceeded the maximum amount for a small claims action. More fees, more attorney costs, more stress, more house

payments with no money coming in, and then I started doing repairs so that the house could be sold. I have a damage judgement against these people of about \$20,000. The actual costs were more, but it made no sense to start over to increase the amount. I have never gotten any payments. I never really expected to, but wanted to make sure that if another landlord does due diligence and checks on these people, they will not get a clear record.

What you are proposing with the 90 day notice is having landlords become even more victims than they already are. The renters are well represented by free legal services. There appears to be no one to help the owners absent paying for an attorney at a time when their resources are being drained by costs of an empty house. My purchase contract on this home was \$900 per month which was already more than the rent amount I was charging.

You have heard from renters who believe the system is abusing them. The current 60 day notice for eviction with cause is already 30 days more than most states. Oregon already has laws that are very renter friendly. You are now suggesting that because some landlords did not treat their renters fairly, you should put every landlord in the state even more at risk. These landlords have invested their money in providing houses for people who often cannot afford to buy one. This bill will increase the problems resulting from a lack of affordable housing in the state. Landlords will need to be collecting more rent to provide a cushion in case they are unfortunate enough to have an experience like mine. It took over a year from the time I became aware of the problems until the time when the house was listed for sale. I continued to pay the \$900 per month payments.

I have sold the Albany house and two others that were providing nice three bedroom homes for renters because I will never expose myself to the kind of financial, physical and emotional abuse that I experienced in the above situation. All the homes I sold are now owner occupied. Extending the timeframes for evictions and creating more rules for landlords will reduce the people willing to purchase and provide rental homes.

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